

## FLEXELECT CHANGES FOR 2009

The following are highlights of changes in the FlexElect Program for 2009. These changes will be reflected in the BAM in January, 2009.

### **What's New in the FlexElect Manual**

- **Section 704. Eligibility Restrictions for FlexElect** – We've added language to clarify the fourth bullet that mentions CSU coverage. The bullet now states, "Employees who are maintaining their own coverage or as a dependent on any state-sponsored health and/or dental benefits (including the CSU system) **ARE NOT** eligible for the Cash Option."
- **Section 711. Change in Pay Status While Enrolled in FlexElect** – under the Industrial Disability Leave (IDL) Section, we have added Temporary Disability to be included every place that we mention IDL. The section now reads, "**Industrial Disability Leave (IDL) and Temporary Disability (TD)** – If employees go on IDL or TD while enrolled in FlexElect, and they elected to receive the Cash Option for health and/or dental, their cash elections will remain in effect. Employees will receive a separate check for the Cash Option, which will be issued approximately one week after their IDL or TD paycheck is issued. If they elected to enroll in one or both of the reimbursement accounts, their deductions into the account(s) will stop for as long as they are on IDL or TD. If the employees return to regular pay status within the FlexElect Plan Year, their reimbursement account deductions will resume. However, if employees go on IDL or TD with Supplementation (IDLS or TDS), their reimbursement account deductions will continue provided the amount of their supplementation income is large enough to cover the full amount of their monthly reimbursement account deduction."
- **Section 712. Consolidated Omnibus Budget Reconciliation Act (COBRA)** – The timeframe for the Personnel Office to provide the Initial Notice to the employee has been extended from the time of their enrollment to within 90 days of their enrollment. The section will now read, "In compliance with the provisions of COBRA requiring the employer to notify participants of their COBRA rights, the Personnel Office must provide the initial notice to employees within 90 days of their enrollment in the MRA (i.e., when they first become covered under the MRA). An exception to the 90-day rule is when a qualifying event occurs before

the initial notice is provided, and then an initial notice must be provided along with the election notice and election form.

- **Changes to Appendix A – Permitting Event Chart** – Under Permitting Event Code 27B, I have changed the Action Allowed to “Cancel/enroll/change Flex Elections” rather than “Change/enroll/change reimbursement accounts.” This was always the intent, but not clearly spelled out. Under Permitting Event Code 37, I have eliminated any reference to retirement, since this is not an issue for a Dependent Care Reimbursement Account that will automatically stop when the employee retires, or they can change if they have a change in Dependent Care Cost or Provider.

**Other changes:**

- I have changed the original fax number on the claim form (DPA 352) to FBMC's toll-free fax number.
- All of the changes above were also made in the 2009 FlexElect Handbook.